IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE THIRTIETH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NOs : 17445 of 1997 & 24142 of 1997

1) **W.P.No.17445 of 1997**

Between:

M.Sreenivasa Rao S/o.Late Venkata Ratnam, working as

Incharge Assistant Engineer, A.P.State Housing

Corporation Ltd., Bhimavaram W.G.Dist.

... PETITIONER

AND

1. The Managing Director, A.P.State Housing Corporation Limited, Hyderabad.
2. The District Collector/Executive Director,

A.P.State Housing Corporation Limited,
Eluru, West Godavari Dist.

3 The District Manager(Housing),

A.P.State Housing Corporation Ltd., Eluru, W.G.Dist.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, declaring the Memo C.No.A1(2)/798/97-2, dated 16-5-1997 issued by the 1st respondent as illegal, arbitrary and violative of Articles 14 and 16 of the Constitution of India, Violative of Principles of natural justice and also contrary to the directions of this Hon'ble Court dated 19-3-1996 in W.A.No.207/96 and consequently direct the respondent to regularise the services of the petitioners in the cadre of Assistant Engineer from the date on which he was posted as In charge Assistant Engineer.

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2) <u>WRIT PETITION NO : 24142 of 1997</u>

Between:

S.Rangaiah S/o.Ramanna, age:45 yrs,
Working as Incharge Assistant Engineer (Housing),

A.P.State Housing Corporation Ltd.,

Chintalapudi, West Godavari Dist.

... PETITIONER

AND

1) The Secretary to Govt of A.P (Housing (R.H.) Dept.,
Secretariat Buildings Hyderabad.
2) The Managing Director,

A.P.State Housing Corporation Ltd., Hyderabad.
3) The District Collector/Executive Director,

A.P.State Housing Corporation Ltd., W.G.Dist Eluru.
4) The District Manager (Housing),

A.P.State Housing Corporation Ltd., W.G.Dist, Eluru.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction, more particularly one in the nature of Writ of Mandamus, declaring the action of the 3rd respondent in proposing to revert the petitioner as Draughtsman from the post of In charge Assistant Engineer (Housing) as illegal, arbitrary, violative of Articles 14, 16 of the Constitution of India, violative of principles of natural justice and also contrary to the orders of this Hon'ble Court, dated 19-3-1996 passed in W.A.No.207 of 1996 and consequently direct the respondents to regularise the services of the petitioner in the cadre of the Assistant Engineer and pass such other order or orders as this Hon'ble Court may deem fit and proper.

Counsel for the Petitioner in both cases) : MR.A.RAMAKRISHNA

Counsel for the Respondents (In both cases) : MR.V.CH.NAIDU

The Court made the following :

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COMMON ORAL ORDER:

These two writ petitions are filed by the petitioners questioning the proceedings of the respondents, by which the In charge arrangement of Assistant Engineers was removed, and this Court ordered suspension of the said proceedings, and the petitioners are continuing as Incharge Assistant Engineers.

Pending disposal of these writ petitions, it is stated that the respondent Corporation issued proceedings
dated 14.07.2004, with reference to both the petitioners in terms of G.O.Rt.No.114, dated 19.04.1999, stating that these petitioners would be continued as Incharge Assistant Engineers in their own scale of pay till their turn comes up for promotion to the post of Assistant Engineer. It is also stated by the learned counsel for the petitioners that the petitioner in W.P.No.17445 of 1997 has questioned the *inter se* seniority list by separate proceedings. As the seniority list is not the subject matter of the present writ petition, the disposal of this writ petition shall not have any impact on the other writ petitions, wherein the seniority list has been assailed.

In view of the above proceedings dated 14.07.2004, these writ petitions are dismissed as having become infructuous. No costs.

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30th September, 2004

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To

1. The Managing Director,

A.P.State Housing Corporation Limited,

Hyderabad.

2. The District Collector/Executive Director,

A.P.State Housing Corporation Limited,
Eluru, West Godavari Dist.

3. The District Manager (Housing),

A.P.State Housing Corporation Ltd.,

Eluru, W.G.Dist.

4. The Secretary to Government of Andhra Pradesh

(Housing (R.H.) Dept., Government of A.P.,
Secretariat Buildings, Hyderabad.

5. Two CD copies.